

The Daily Gazetteer.

SATURDAY, JUNE 5. 1736.

91° 294.

The Revolution defended, against the pretended Whig-Writers of the *Craftsman*.



HE Gentlemen who so long supported the *Craftsman*, being retired, the common Writer of it is so intirely destitute of *Judgment*, and of all *publick Abilities*, that he is below the *Notice of a reasonable Man*; and so to the *World judges*: For he has wrote till no *Man* reads, and has brought a *Journal*,

which sold off eight or ten thousand a *Week* down to three thousand; and yet, scribbling only for *Pay*, he obstinately perseveres in his *Folly*, and has the *Vanity* to imagine, that he *thinks and reasons* even upon Subjects of the *utmost Importance to Mankind*.

THE Subject he has now resumed, is the *ancient and modern Constitution, Prerogative and Liberty*; and whether we got or lost by the *Revolution*.

THE whole Design of the Author of the *Dissertation on Parties*, was to disgrace the *Revolution*, in mere Spight to the *present Government*; and to insinuate, that *Prerogative* is greater, and *Liberty* less than they were before that glorious Period: And this little *Creature* who now continues the *Craftsman*, and is only the *Ghost* of that great Author, dully retails what he delivered with *Dignity and Sense*, tho' not supported by *Facts and Argument*.

THIS Subject is of the greatest Importance to the *English* of any that I know; 'tis of the last Consequence to be assured, whether we received any Advantage by the *Revolution*: For if once it comes to be believed (what these pretended *Whigs* have infamously endeavoured to make us believe) that the *Prerogative* of our Kings is greater and more *fixed*, and the *Liberties* of the *People less* and more *precarious* since than before that Time, 'tis natural to look out for another *Revolution*, or, to speak in the *Jacobite Style*, another *Restoration*. It has the strongest Tendency (infinitely stronger than all the Doctrines of *hereditary Jure Divino Right*, and *positive Obedience Principles*) to set the Minds of the *People* against the *Royal Family*, and turn their Eyes towards *Rome* and the *Pretender*; for if, under our *ancient tyrannical Kings*, if under the Family of the *Stuarts* (a Family that was in one continued Plot or Conspiracy against the *Constitution*) the *People* fared better than they have done since the *Revolution*, and the *Security* of their *Liberties* was stronger, because the *Crown* was weaker, I am very sure the *Inference* is just, that we ought to change again; which was the only Point of View that the *ancient Patriot* had before him.

I have already, in the Course of these Papers, carried it to Demonstration, that the *modern Constitution* is infinitely preferable to the *ancient*; and that we not only got by the *Revolution*, but that we owe every thing valuable in *Life* to the seasonable Intervention of the *Prince of Orange*; for, without that, we should soon have been swallowed up by two of the most dreadful Evils under the *Sun*, *Popery* and *arbitrary Power*, and been more wretched than our neighbouring *popish*, *arbitrary Kingdoms*, in Proportion to our greater *Sense* of *Liberty* and *publick Virtue*. But such a *Creature* is *Man*, as to be insensible to all his *Blessings*, and sensible only of his *Misfortunes*! Who would have thought, 30 or 40 Years ago, that we should so soon be driven to the *Necessity* of vindicating the *Revolution* against the *Whigs* themselves! But so it is, that Spight to the *Ministry* has gradually led some of them to a *Contempt* and *Hatred* of the *Government*, and then to a *Hatred* of the *Revolution* itself; for, rather than not disgrace the *Court* and *Ministry*, by loading them with the *Scandal* of introducing *Parliamentary Tyranny* and *Legal Slavery*, they have laid the *Occasion* upon the *vast destructive Prerogative* of the *Crown*, obtained since the *Abdication* of *King James*.

THIS is the Reason why I take up my Pen; 'tis to vindicate the *Revolution* and *present Government*: A glorious *Cause*! a *Cause*, which I would not only write, but die for, if ever the *sad Occasion* should come, that we should be obliged to contend for the *Preservation* of that *Liberty*, which *Providence*, ever wise and good, delivered into our *Hands* in the *Close* of the *last Century*.

So much we thought necessary by way of *Introduction*: Let us now consider what Mr. *D'Anvers* hath been doing in his two last *Papers*. He says, the Point in *Dispute* is, 'Whether that *mischievous kind of Prerogative*, which occasioned such *jut and loud Complaints* in former *Times*, was *really abolished* at the *Revolution*, as Mr. *Osborne* hath asserted?' Agreed; that shall be the Point. I affirm, 'twas *really abolished*. Mr. *D'Anvers* says, 'twas not; and proceeds to support his *Position* after this *Manner*: 'Now, in order to decide this *Question*, it will be necessary to take a *short Review of ALL THOSE POWERS* which have *commonly passed* under the *Name of Prerogative*, and *see* which of them are *actually set aside* at the *Revolution*.'

THIS is very fairly said, and very true: But see the *Honour* of Mr. *D'Anvers*! for, instead of reviewing *ALL THOSE POWERS* which *commonly passed* as *Prerogative* before the *Revolution*, he, with his usual *Integrity*, leaves out the *two grand Branches* of *Prerogative*, which, while subsisting, levelled our *legal Monarchy* with the *most arbitrary Government* in the *World*, and rendered all our *Laws* *useless* and *insignificant*; and then, reviews *only those Prerogatives* which are *perfectly consistent* with, and *preservative* of our *Liberties*; or else are *no Prerogatives* at all: As I will shew in the *Course* of this *Dispute*.

DO THO' not every *Reader of Rapis*, every *Ploughman* and *Herbwoman* know, That the *Kings of England*, till the *Revolution*, *claim'd* and *extercised* these *two Powers*, as *Prerogatives*, *raising Money without Act of Parliament*, and *dispensing with the Laws themselves*; nay, that *raising Money without Law*, was pronounced to be *Legal*; and that it was *Law*, to *dispense with Laws*? Was not the *raising of Ship Money without Law*, in *Charles the First's Time*, asserted by all the *Judges*, to be *Legal*? And did not one *Judge*, *Sir Robert Berkley*, declare, in the *Cafe of Mr. Chambers*, a *London Merchant*, who refused to pay *Ship Money*, that he would not suffer the *Legality* of it to be disputed? and did not he then add in *open Court*, 'That there was a *Rule of Law*, and a *Rule of Government*, and that many *Things* which might not be done by the *Rule of Law*, might be done by the *Rule of Government*? And did not the *Great Selden* himself, in his *Book* intitled, *Mare Clausum*, not only assert the *Right* of the *Crown of England* to the *Dominion* of the *British Seas*; but clearly prov'd, by *constant* and *continual Practice*, that the *Kings of England*, *without any Parliament*, used to *levy Money* upon their *Subjects* to maintain this *Dominion*? — But let us go on. Don't we all know, and doth not *Lord Clarendon* himself confess, that *Acts of State* were *counted* as *binding* upon the *Subjects* as *Acts of Law*? Did not our *Kings*, even since the *Civil Wars*, *dispense with Laws*? Did not *King Charles* do it several *Times*? And did not all *King James's Judges*, but one, affirm, 'That a *Power* in the *King* to *dispense with Law*, was *Law*? And, in the *Cafe of Sir Edward Hale*, did not they make it a *general Rule of Law*, 1st. That the *Laws of England* are the *King's Laws*. 2dly, That therefore 'tis an *inseparable Prerogative* of the *Kings of England*, as of all other *Sovereign Princes*, to *dispense with the Laws upon particular, necessary Reasons*. 3dly, That of these *Reasons and Necessities*, the *King* was the *sole Judge*. And, 4thly, That this is not a *Trust granted to the King*, but the *ancient Remains* of the *Sovereign Power* of the *Kings of England*, which never was yet taken from them, nor can be?

THESE Judges were as bad *Proprietors* as they were *Lawyers*; for, within a *Year*, the *Revolution* demolished such *Doctrines*, *Laws*, *Judges* and *Kings*, all together, and involved them in one *common Ruin*; and yet, we got nothing by the *Revolution*!

THESE two *Prerogatives*, of *raising Money without Law*, and *dispensing with Law*, subverted the *very Foundations* of our *Government*, and put all our *Rights and Liberties* into the *Hands* of the *King*; and these *Prerogatives* were *expressly condemned* and *set aside* by the *Bill of Rights*, at the *Revolution*, in these *Words*:

'THAT the pretended *Power of dispensing with Laws*, or the *Execution* of them by *regal Authority*, is *Illegal*: And, that *levying of Money*, for or to the *Use* of the *Crown*, by *Pretence of Prerogative*, *without Grant of Parliament*, for longer *Time*, or

'in any other *Manner*, than the *same* is or shall be granted, is *Illegal*'

THE *abolishing* of these *Prerogatives*, and a *Third, of governing without Parliaments*, was, in *Reality*, *abolishing* all that *mischievous, destructive kind of Prerogative*, which occasioned such *loud and jut Complaints* in former *Times*.

THIS was the *Reason* of my affirming, in some *former Discourses*, that the *King* hath now no *Prerogative*, but *legal Rights*; and that our *Freedom* from the *King's Prerogative* was not only *claimed*, but *effectually assert'd* and *secured* by the *Revolution*. For, by our *Freedom* from the *King's Prerogative*, must necessarily be meant, *Freedom from all that mischievous, destructive Prerogative*, which was *inconsistent* with the *very Being* of our *Laws*, and the *very Nature* of a *free Government*; but not an *Exemption* from that *Prerogative* which is *necessary* to *preserve the Balance of the Constitution*; which is the *Cafe of the Prerogative* since the *Revolution*.

THIS is enough, at present, to shew Mr. *D'Anvers's* thorough *Hatred* to the *Revolution*, and *completat Knavery* in *Argument*; for, when he undertook to *Review all those Powers* which have *commonly passed* under the *Name of Prerogative*, he carefully omitted to mention *those* which *alone created all the Evils* formerly complained of; and which were *absolutely abolished* at the *Revolution*.

(*More another Time.*)

F. OSBORNE.

Yesterday arrived a *Mail* from *Flanders*.

Vienna, May 15. O. S.

YESTERDAY an *Order* from *Court* came hither by the *Post*, to set up the *Picture* of *Prince Eugene* on *Horseback* over his *Tomb*; and as there is no *Time* to have a *new one made*, one will be taken out of the *Emperor's Chamber*. The *Copies* of the *ten great Battles* won by his *Highness*, are above *three Foot* either *Way*. They were taken from the *Originals* painted in the *Netherlands*, and are now in the *Palace*; but they will be *fixed* to the *Pillars* of the *Church*. — The *taking of Asoph* is not yet *confirm'd*. Mean time 'tis said, that certain *Advice* is arrived from *Constantinople*, that the *Sultan* has been obliged to take off an *extraordinary Duty* settled upon the *Trade-men* over all the *Empire*, in order to prevent a *general Revolt*; and that the *Jews* have been *taxed doubly*. — P. S. A *Courier* from *Paris* has brought the *Ratification* of the *Peace* concluded with the *King of France*.

Hamburg, May 21. O. S. According to *Advices* from *Petersburg*, the *Bashaw of Asoph* demanded a *Suspension of Arms* for 10 *Days*, that he might have *Time* to receive *Orders* from *Constantinople*; but he could obtain no more than twice 24 *Hours*, after which he was told he must expect no *Captivation*; so that the *Besiegers* hoped to be *Masters* of it in 4 *Weeks*, reckoning from the 28th of *April*. 'Tis also *confirm'd*, that an *Alliance, Offensive and Defensive*, is concluded between *Persia* and *Russia*, by which the *one* engages not to make a *Peace* with the *Porte* without the *other*.

LONDON.

Letters from *Constantinople* advise, that they are in the *greatest Conternation* imaginable in that *City*; that it was proposed in the *Divan* to send the *Imperial and Russian Ministers* to the *Seven Towers*; but after a long *Debate*, it was resolved, not to take a *Measure* which might be attended with such *dangerous Consequences*, in so critical a *Juncture*. Indeed by all *Accounts* the *Fate* of the *Ottoman Empire* seems to be drawing to a *Period*; and as the *Peace of Europe* seems to be settled upon a *sure and lasting Foundation*, those *Powers*, whose *Interest* it is to reduce the *Limits* of the *Turkish Dominions* within a *narrower Compass*, will have *Leisure* to turn their *Arms* against an *Enemy*, who were once at the *Gates* of *Vienna*, and threatened to *over-run Europe*, if a *Stop* had not been put to the *Progress* of their *Victories*, by the *extraordinary Conduct* and *Bravery* of those three great *Generals*, *Sobieski* and *King*.



of Poland, the late Elector of Bavaria, and his late Majesty King George the First.

Letters from Dublin mention the Marriage of Michael Travers, Esq; Councillor at Law, to Miss Purefoy, Niece to Major Purefoy; and the Death of Oliver Wheeler, Esq; at his House in the County of Kilkenny; of Edmond Donnellan, Esq; of Streamtoun in the County of West Meath; and of the only Son of Hawkins Robert Magill, Esq; Member of Parliament for the County of Down, by the Countess Dowager of Antrim.

They write from Bridgewater in Somersetshire, that, at 3 o'Clock last Tuesday Morning, they felt a considerable Shock of an Earthquake, attended with a great Noise.

Yesterday the new called Serjeants appeared at the Return of the Writs in the Court of Chancery, where their Writs were read; and after taking the Oaths of Allegiance, and the Oath of Serjeant, Thomas Parker, Esq; made a very handsome Speech to the Lord Chancellor, and presented him with a Ring.

The same Day Mrs. Constantine Phillips, and Mr. Hodgson, were brought up to the King's Bench, to receive the Judgment of the Court, for the Contempt which they had been guilty of, in bringing a feigned Action; and the Court, out of their great Clemency, and in Consideration that they had been in Prison for the said Offence above a Month, and had paid the Prosecutor all his Costs and Charges, set a Fine of 13s. 4d. only upon each.

Seals after Easter Term, and before Trinity Term, 3736, viz.

Friday 11th June, First Seal.

Tuesday 22d ditto, Second Seal.

Wednesday 23d ditto, Petitions.

We hear that his Grace the Duke of Chandos is nominated Lord Lieutenant of Ireland, in the room of the Duke of Dorset.

They write from Sussex, that the Custom-house Officers, assisted by a Party of Soldiers, seized lately from a Gang of Smugglers near Chichester, 9 Horses, loaded with Brandy, Tea, &c.

'Tis said that the Earl of Crawford, one of the Sixteen Peers for North Britain, is appointed to succeed the Hon. Henry Berkley, Esq; deceased, as Captain and Colonel of the Second Troop of Horse Grenadier Guards.

Tuesday next their Royal Highnesses the Prince and Princess of Wales are to remove from St. James's to Kensington.

We hear there are upwards of 80 Prisoners to be tried for divers capital Offences, at the ensuing Sessions at the Old Bailey, which begin on Wednesday next.

There will be an Exposition at the Oratory Tomorrow in the Morning, on the Point, Whether Book-learning be necessary to a Minister of the Gospel, challenged by Mr. Tipping and Dr. Philips: An Oration on the Mirror of the Deity, or the Idea of God. In the Evening an Oration on the present Contest of the Pope and Spaniards; and a publick Disputation, Mr. N. B. Opponent, Whether Professor Campbell's Doctrine was rightly disapproved by the Kirk of Scotland? Mr. H. Respondent.

Yesterday Bank Stock was 148. India 176. South Sea 99. Old Annuity 111 5-8ths to 3-4ths. New ditto 111 1-half. Three per Cent. Annuity 105 to 1-8th. Emperor's Loan 117 1-half. Royal Assurance 109 1-half to 3-4ths. London-Assurance 14 3-8ths to 1-half. York Buildings 2. African 13. India Bonds 61. 10s. to 11s. Premium. Three per Cent. ditto 51. 6s. Premium. South Sea Bonds 51. 18s. to 19s. Premium. New Bank Circulation 71. 5s. Premium. Salt Tallies 4 to 6 1-half Premium. English Copper 21. 3s. Premium. Welsh ditto, no Price. Three 1-half per Cent. Exchequer Orders 6 1-4th per Cent. Premium. Million Bank 115.

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Printed for T. Woodward, at the Half Moon between the two Temple Gates in Fleet-street; and J. Peele, at Locke's Head in Amen Corner, Pater-noster-Row.

Where may be had,

Reasons for Encouraging the Linen Manufacture of Scotland, and other Parts of Great Britain. By the same Author. Price 1s. As also,

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Next Thursday will be Published,

Beautifully printed in Twelves,

THE Life of MARIANNE: Or, The Adventures of the Countess of * * * * * By M. de Marivaux. Translated from the Original French. Printed for C. Davis in Pater-noster-Row, near Amen Corner.

Where may be had, lately published,

1. Pithy, Pleasant and Profitable Works of Maitre Skelton, Poete Laureate to King Henry VIII.

N. B. Erasmus, in an Epistle to King Henry VIII. styles this Poet *Britannicarum Literarum lumen & decus.*

2. Dean Swift's Miscellanies, 4th and 5th Vols. 12mo.

3. The same may be had in 8vo.

4. The History of the Revolutions of Poland, from the Foundation of that Monarchy, to the Death of Augustus II. Translated from the French. Octavo.

5. Memoirs Historical and Military, by the Marquis de Feuquieres, Lieutenant General of France, 2 Vols. 8vo.

6. Anderson's Royal Genealogies; or the Genealogical Tables of Emperors, Kings, and Princes, from Adam to these Times. In Folio.

7. A new English-Saxon Grammer. By E. Elstob, 4to.

June 1 was published, as usual,

[Price Six-Pence.]

(Nearly printed on fine Paper, and stich'd in blue Covers.)

THE GENTLEMAN'S MAGAZINE: For MAY. Containing the Lord's Proofs in the late Session. Grants for the Service of the present Year. Extracts of curious Pamphlets. Ecclesiastical Points. History. Original Pieces of Poetry. The Essays and Disputes of the Month. Register of Books. Lists of Preferments, Births, Marriages, Deaths, &c. &c.

By SYLVANUS URBAN, Gent. Printed by E. CAVE at St. John's Gate, of whom may be had any former Month.

N. B. The Time for receiving the PRIZE POEMS for the GOLD MEDAL proposed in the last SUPPLEMENT (p. 778.) cannot, with Justice to those that have already sent, be prolonged, as has been by some desir'd: But lest they should imagine others may be so indulged, they, or any Person concerned, may come or send to St. John's Gate Coffee-House on the 11th Instant, at 8 in the Morning, to see the Box (kept there for receiving the said Poems) unlocked, a List taken by indiffer-ent Persons, of the Number of Lines contained in each, and the Name and Motto thereto subscriv'd, and also may have a Copy of the said List, if required.

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